

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

SHEROD HASTINGS MAIR,)	
)	
Petitioner,)	
)	
vs.)	No. 06-3412-CV-S-RED-H
)	
JOSEPH E. GUNJA, Warden,)	
United States Medical Center for)	
Federal Prisoners,)	
)	
Respondent.)	

**REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

Petitioner, an inmate confined at the Untied States Medical Center for Federal Prisoners, has petitioned this Court for a writ of habeas corpus. The petition has been referred to the undersigned for preliminary review under 28 U.S.C. § 636(b). Because petitioner is entitled to no relief, it will be recommended that leave to proceed in forma pauperis be denied.

As grounds for relief in habeas corpus, the petitioner alleges that he has been improperly housed in administrative detention and administrative segregation, and that he has not received the required lock-down order or hearing.

Petitioner was initially placed in administrative detention at the Federal Medical Center in Devens, Massachusetts, as a result of his physically assaulting a staff member. After his transfer to the Federal Medical Center in Springfield, Missouri, he was released from administrative detention and placed in administrative segregation. Petitioner has no protected liberty interest in avoiding administrative detention, which would justify habeas corpus relief. In addition, he has failed to exhaust administrative remedies.

Counsel for the petitioner has filed a Motion to Withdraw. Because there are no issues presented for which relief is appropriate, the motion is granted.¹

For the foregoing reasons, it is, pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, RECOMMENDED that petitioner be denied leave to proceed in forma pauperis, and that the petition herein for writ of habeas corpus be dismissed without prejudice.

/s/ James C. England
**JAMES C. ENGLAND, CHIEF
UNITED STATES MAGISTRATE JUDGE**

Date: March 9, 2007

¹ Petitioner has 10 days to file exceptions to the Report and Recommendation of the United States Magistrate Judge.